

Pesticide Regulatory Activities Monthly Report Instructions

Overview

Introduction

The Pesticide Regulatory Activities Monthly Report (PRAMR) is used by the Department of Pesticide Regulation (DPR) to record workload criteria for allocation of mill assessment revenues and to keep statistics of work completed for enforcement of the State Pesticide Regulatory Program. The PRAMR is **NOT** used to record work completed for any other county operated program, such as nursery inspection, vertebrate and weed control, or sales of pesticides.

3 CCR requirements

Title 3 of the California Code of Regulations (3 CCR) section 6392 requires each county to submit a monthly report supporting the administration and enforcement of their pesticide regulatory program. The monthly report must be submitted within 30 days after the end of each month to:

Department of Pesticide Regulation
Enforcement Branch
1001 I Street, 3rd Floor
P.O. Box 4015
Sacramento, California 95812

Recording Hours/Items

The table below is to be used to decide when to report certain items on the PRAMR:

Section(s)	Applicable to:	When to Record on the PRAMR
All	Hours expended (Licensed Work Hours, Support Hours, Non-Licensed Hours)	In the month expended
I – III	Number of Inspections	In the month completed
IV	Restricted Materials	In the month issued
IV	NOIs	In the month reviewed
V	Investigations	In the month completed
VI	License / Certificate Registration	In the month registered
VI	Structural Operator Notice	In the month notified
VI	ID Number	In the month issued
VII	Number of Sessions	In the month conducted
VII	Persons	In the month attended
VIII & IX	Total Numbers	In the month completed (some exceptions apply)

Overview, Continued

Attaching inspections to the PRAMR

Effective July 1, 2003, county agricultural commissioners (CACs) are to attach **ALL** inspection forms (**except the Pesticide Pre application Site Inspection, PR-ENF-102**) to each monthly PRAMR. Inspection forms are designated PR-ENF-103 to PR-ENF-110; specific instructions for completing each inspection form can be found in the Inspection Procedures Manual, (ENF 03-24).

Inspection forms are being collected as part of the ongoing Data Evaluation Project. Each new inspection form has an added no carbon required (NCR) page, which may be attached to the monthly PRAMR, or photocopies of the original may be attached. **Please ensure** that each submitted inspection **form is legible** for data entry purposes.

About this document

This document includes instructions on the 14 sections of the Pesticide Regulatory Activities Monthly Report, PR-ENF-099.

Changes to this version

- Added “Number of Hours” column for Pre application Inspections (Section I) and for Restricted Materials (Section IV)
 - Added Application Methods Table
 - Requested additional information for the following sections:
 - Section I, Field Fumigation and Commodity Fumigation
 - Section II, HQ/Employee Safety
 - Section III, Structural Inspections - Applications and Mix/Load
 - Section VI, Private Applicator
 - Provided additional information for Section VIII and IX, Compliance Actions and Enforcement Actions
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General Instructions

PRAMR Header

The table below outlines instructions for completing the header portion of the PRAMR:

Field Name	Action
County Name	Write out the county name; do NOT write the county number
Contact Person	List the person responsible for filling out the PRAMR, or the person to whom questions can be directed
Phone Number	List the phone number of the Contact Person; include the area code
Report Month	List the Month by name; abbreviations are acceptable
Fiscal Year	List the complete fiscal year, such as 03 / 04; 03-04

PRAMR instructions

The following information pertains to Sections I, II, and III of the PRAMR Instructions, PR-ENF-099, Rev. 3/03:

Section I. Pesticide Use Monitoring

Section II. Pest Control Records Inspections

Section III. Structural Pest Control Inspections

Number of Inspections, sections I - III

DPR disburses mill assessment revenues for the total number of Pesticide Use Enforcement inspections **completed** by each county [3 CCR section 6393(b)(1)], Criteria Items and Apportionment).

Report the total number of inspections completed in the reporting month, not the month started, in the most appropriate category listed in Sections I - III.

A completed inspection is one in which all applicable inspection requirements are checked "Yes," "No," or "N/A." Refer to the appropriate Inspection Procedures Manual for more information regarding completed inspections.

Follow-up inspections cannot be reported as completed inspections unless *all* inspection requirements have been re-inspected and documented on the appropriate inspection forms.

Continued on next page

General Instructions, Continued

Partial Inspections, cannot be counted as complete

Partial inspections cannot be reported as completed inspections because they only evaluate a limited number of requirements (e.g. posting, whether the tarp is adequately sealed and in good repair, training records). Report only the work hours expended on documented partial inspections under “Licensed Work Hours” in the appropriate section.

Number of Non Compliances Sections I-III

DPR disburses mill assessment revenues for the total number of non compliances documented during Pesticide Use Enforcement inspections conducted in each county [3 CCR section 6393(b)(10)].

For all inspection categories in Sections I, II, and III, report the total number of non compliances documented on all inspection forms. The “Number of Non compliances” is the total number of requirements found in non compliance, not the total number of inspections with one or more non compliances.

New policy regarding non compliances on the PRAMR

Until otherwise notified via a future Enforcement Letter, effective July 1, 2003, **all non compliances** noted on **any** inspection form **may now be counted on the PRAMR** whether the inspection is a complete or partial inspection.

Summary: While CACs may not count partial inspections on the PRAMR, CACs can **now report** all non compliances on the PRAMR.

Count the total number of “NOs” from all the inspection forms (complete and partial inspections) and record under the “Number of Non Compliances” column on the appropriate line for the particular inspection listed in Sections I - III on the PRAMR.

Recording Non Compliances from Pre application Inspections

Pesticide Pre application Site Inspections (PR-ENF-102) on which non compliances have been documented are **NOT required** to be attached to the monthly PRAMR.

Count the total number of “NOs” on each Pre application Site Inspection and record under the “Number of Non Compliances” column in Section I, A “Pre applications” on the PRAMR.

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General Instructions, Continued

Licensed Work Hours for <u>all</u> sections	DPR disburses mill assessment revenues for the total number of work hours expended on Pesticide Use Enforcement inspections by staff holding a Pesticide Regulation, and/or Investigation and Environmental Monitoring license and by <u>unlicensed staff who qualify to apply</u> for a Pesticide Regulation, and/or Investigation and Environmental Monitoring license and work under the supervision of licensed staff [3 CCR section 6393(b)(4)].
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Section I. Pesticide Use Monitoring Inspections

Part A

A. Pre-application (Restricted Materials Only), PR-ENF-102

Completed Pre-application Site Inspections include a review of the written recommendation if available. Do not report inspections that are pending review of the recommendation, as these inspections are not complete until the recommendation has been reviewed.

I. USE MONITORING INSPECTIONS	NUMBER OF HOURS*	NUMBER OF INSPECTIONS	NUMBER OF NON COMPLIANCES
A. Preapplication* (*AB 3765)	103	77	1

Number of Hours

Time expended for Pre application Inspections may include activities such as:

- Permit review
 - Recommendation review
 - Travel to/from site
 - Site evaluation
-

Part B

B. Applications: Property Operator or Pest Control Business, PR-ENF-104

Completed application inspections include all applicable criteria items. Report the inspections in the appropriate category: Property Operator or Pest Control Business.

The example shows Part B and Part C completed in the PRAMR.

B. (PUMI) Applications - Property Operator			61	15
(PUMI) Applications - Pest Control Business			72	2
C. Field Fumigations			2	0
Application Method	# Inspections	# Non Compliances	Instructions Break down Application Inspection numbers and Non Compliances listed in B & C by Application Method, and by Non Compliances for each Application Method	
Aerial	51	4		
Chemigation	4	0		
Ground	65	10		
Other	15	3		
Total (Equal to B+C)	135	17		

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Section I. Pesticide Use Monitoring Inspections, Continued

Part C

C. Field Fumigations, PR-ENF-106

Completed field fumigation inspections include all applicable criteria items. “Field” category includes all outdoor and greenhouse fumigations where the soil is fumigated in place.

Application Method Table

The Application Method Table was added to the PRAMR as a means to provide statewide information on common methods of application documented by CACs. This information will provide trend analysis information, and an indication of non compliances noted for the most common application methods.

Explanation of Methods

The following table provides an explanation of the various applications methods:

Method	Applications reported under this Method
Aerial	Application by fixed wing aircraft or helicopter
Chemigation	Application in which pesticides are applied via irrigation systems, such as sprinkler, drip, or furrows
Ground	Applications made by machinery, such as a tractor, granular spreader, etc.
Hand held	<p>Applications made by an individual with hand held equipment such as a backpack sprayer; hand held spray or granular container; hand held spray gun or wand connected by hose to a spray tank; hand held application of vertebrate pest control baits</p> <p>This method is listed on the Pesticide Use Monitoring Inspection, PR-ENF-104; it is not listed in the Application Method Table</p> <p><u>Record Hand held applications under “Other” in the Application Method table on the PRAMR. Do NOT record as “ground” applications as this would present inaccurate information for analyses purposes.</u></p>
Other	Applications such as dipping, drenching, aerosol misting

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Section I. Pesticide Use Monitoring Inspections, Continued

Part D

D. Commodity Fumigations, PR-ENF-105

Completed commodity fumigation inspections include all applicable criteria items. “Commodity” category includes all fumigations where the “enclosed spaces” provisions apply.

Part E

E. Field Worker Safety Inspections, PR-ENF-103

You may only report the number of field worker safety inspections that are conducted in treated fields. If the inspection took place in an untreated field, it is not a completed Field Worker Safety inspection and you may only report the time expended in Section I “Licensed Work Hours”.

Reference 3CCR section 6000 for the definition of field, and treated field.

Refer to the Inspection Procedures Manual under Field Worker Safety Inspections for more specific information, particularly on determining a “treated field”.

Part F

F. Mix/Load: Property Operator or Pest Control Business, PR-ENF-104.

Completed mix and load inspections include all applicable criteria items. Report the inspections in the appropriate category: Property Operators or Pest Control Business.

Part G

G. Other (Identify in “Remarks”)

“Other” inspections are those that do not fit into any of the above inspection categories and are approved by the Director. Presently, only **Rice Herbicide Water-Hold Site Inspections** have been approved by the Director as “other” inspections.

“Other” inspections must be documented in the “Remarks” section on the back of the PRAMR to be included in the mill assessment disbursement.

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Section I. Pesticide Use Monitoring Inspections, Continued

Section I example

A sample of Section I that has been completed on the PRAMR is shown below:

I. USE MONITORING INSPECTIONS		NUMBER OF HOURS*	NUMBER OF INSPECTIONS	NUMBER OF NON COMPLIANCES
A. Preapplication* (*AB 3765)		103	77	1
B. (PUMI) Applications - Property Operator			61	15
(PUMI) Applications - Pest Control Business			72	2
C. Field Fumigations			2	0
Application Method	# Inspections	# Non Compliances	Instructions Break down Application Inspection numbers and Non Compliances listed in B & C by Application Method, and by Non Compliances for each Application Method	
Aerial	51	4		
Chemigation	4	0		
Ground	65	10		
Other	15	3		
Total (Equal to B+C)		135	17	
D. Commodity Fumigations			0	0
E. Field Worker Safety Inspections			100	9
F. (PUMI) Mix/Loads - Property Operator			24	3
(PUMI) Mix/Loads - Pest Control Business			43	0
G. Other (Identify in "Remarks")			0	0
TOTAL	LICENSED WORK HOURS (A - G) 500		379 TOTAL (A-G)	30 TOTAL (A-G)

Section II. Pest Control Records Inspections

Part A

A. Business Records, PR-ENF-110

Completed licensed pest control business records inspections include all applicable criteria items. This business records inspection category applies to businesses that conduct pest control for hire; structural pest control business records are reported in Section III.

Part B

B. Headquarter/Employee Safety – Business, PR-ENF-110

Completed business headquarters and employee safety inspections include all applicable criteria items. This safety inspection category applies only to licensed Pest Control Businesses that have employees; structural pest control business Headquarter/Employee Safety inspections are reported in Section III while entities other than pest control businesses fall into the “Other” category.

Part C

C. Dealer Records, PR-ENF-109

Completed dealer records/storage inspections include all applicable criteria items. You may only report the number of Dealer Record Inspections that are conducted on dealers who are actively selling restricted materials or agricultural use pesticides. If you inspect dealers who are not actively selling agricultural or restricted use pesticides, you may only report the time expended in Section II “Licensed Work Hours”.

If there are no records to review, the inspection **cannot** be counted on the PRAMR.

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Section II. Pest Control Records Inspections, Continued

Part D

D. Adviser Records, PR-ENF-109

You may only report the number of pest control adviser records inspections that are conducted on Agricultural Pest Control Advisers registered in your county actively writing recommendations. If the adviser has not written recommendations within the last two years, you may only report the time expended in Section II under “Licensed Work Hours”. Also, you may not report recommendations reviewed as part of a Pesticide Pre application Site Inspection (PR-ENF-102) as a Pest Control Adviser inspection.

If there are no records to review, the inspection **cannot** be counted on the PRAMR.

Part E

E. Headquarter/Employee Safety - Production Agriculture PR-ENF-109

Completed “Production Agriculture” Headquarter/Employee Safety inspections include all applicable criteria items.

Production agriculture inspections apply to:

- Employers with employees who handle agricultural and non-agricultural pesticides.
 - Employers with employees who enter treated fields.
 - Certified applicators that apply restricted materials for their own use.
-

Part F

F. Headquarter/Employee Safety – “Other” PR-ENF-109

“Other” inspections apply to:

- Employers, other than in production agriculture, with employees who handle agricultural and non-agricultural pesticides.
 - Certified applicators employed by such entities as city/county parks, schools, golf courses, grain processing mills, etc. that apply restricted materials for their own use.
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Section III. Structural Pest Control Inspections

Part A

A. Fumigations - Branch 1, PR-ENF-107

Fumigations - Branch 1:

Enforcement Letter ENF 95-069 describes a completed structural fumigation inspection as one in which a minimum number of inspection activities are completed during one of the following phases:

- (1) closing or **application** phase
- (2) opening or commencement of **aeration** phase and
- (3) **certification** phase.

This enforcement letter also identifies the specific inspection activities that must be performed for the inspection to be considered complete. You **cannot** report Aeration/Tarp Checks (see PR-ENF-107) as completed fumigation inspections; however, you may report the time expended on these activities in Section III under “Licensed Work Hours”.

Part B

B. Applications - Branch 2 and Branch 3, PR-ENF-108

Completed structural application inspections include all applicable criteria items. Report all completed inspections in the appropriate structural pest control category: Branch 2 or Branch 3.

Part C

C. Mix / Loads – Branch 2 and Branch 3, PR-ENF-108

Completed structural mix/load inspections include all applicable criteria items. Report all completed inspections in the appropriate structural pest control category: Branch 2 or Branch 3.

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Section III. Structural Pest Control Inspections, Continued

Part D

D. Headquarters / Employee Safety – Business, PR-ENF-110

Completed structural headquarters/employee safety records inspections include all applicable criteria items.

This safety inspection category applies only to structural pest control businesses that have employees; Headquarter/Employee Safety inspections of pest control businesses licensed by DPR are reported in Section II, while entities other than pest control businesses fall into the “Other” category in Section II.

Part E

E. Business Records, PR-ENF-110

Completed licensed Structural Pest Control Records Inspections include all applicable criteria items.

This business records inspection category applies to businesses that conduct structural pest control for hire, not pest control businesses licensed by DPR.

Section IV. Restricted Materials

General instructions

DPR disburses mill assessment revenues for the total number of restricted materials permits (permits) and permit amendments issued, sites identified on all permits and permit amendments, Notices of Intent (NOIs) approved, and for the work hours expended by licensed staff [3 CCR section 6393(b)(8)]. Permit and NOI denials must be documented if you intend to report them.

Permits, permit amendments, and NOIs must be evaluated and issued or approved by licensed staff.

Support staff may only perform office management tasks (i.e., date-stamp, organize, file, data entry) for the permits, NOIs, and data entry of the "A" portion of a Restricted Material Permit Application. Work hours expended by support or clerical staff must be reported in Section XIV, C "Support Hours".

In the "Number of Hours" column, number of hours reported must equal the total number of "Licensed Work Hours (A+B+D)" in Section IV.

IV. RESTRICTED MATERIALS (*AB 3765)		NUMBER OF HOURS*	TOTAL NUMBER ISSUED	TOTAL NUMBER DENIED
A. Agricultural Permits*		792	132	2
B. Non-Agricultural Permits*		14	2	0
C. Total Permits			134	2
D. Notice of Intent Reviewed*		323	2,034	0
TOTAL	LICENSED WORK HOURS (A+B+D)	1,129		
E. Annual Total Sites			31,896	
F. Annual Total Multi-Year Permits			103	

Calculating the Number of Hours for Permit Issuance and Denials

For the "Number of Hours" column, time expended for Permits Issued/Denied may include activities such as:

- Initial permit issuance process
- Permit supplements/denials
- Changes to permit based upon NOI review/pre application inspection
- Travel by licensed CAC staff for permit issuance

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Section IV. Restricted Materials, Continued

Calculating the Number of Hours for NOI Review

For the “Number of Hours” column, time expended for Notice of Intent (NOIs) Reviewed/Denied may include activities such as:

- Collection and sorting NOIs
 - Comparison to pesticide labels
 - Comparison to permits
 - Selection of 5% potential sites for pre application inspections
-

Part A and Part B

A. Agricultural Permits B. Non-Agricultural Permits

Report only “new” permits and permit amendments issued each month, including “new” multi-year permits. Amendments made to a single permit count as one permit issued regardless of the number or type of changes.

Report the number of **documented** permit denials. If separate decision-making processes are used for different chemicals, each one is considered a denial.

Report “possession only” permits issued to property operators on a Restricted Material Permit form. Do not report “possession only” permits issued to licensed Pest Control Businesses.

Part C

C. Total Permits Issued

Report the total number of agricultural and non-agricultural permits issued and denied (add columns A+B).

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Section IV. Restricted Materials, Continued

Part D

D. Notice of Intent (NOIs) Reviewed / Denied

Report the total number of NOIs reviewed and denials documented. Do not report NOIs received for non-restricted material applications or annual work notifications from structural operators.

One NOI is equal to one application to one site regardless of the number of pesticides included in a tank mix.

Monthly scheduled applications, such as fungicide treatments, vertebrate pest control, or spot weed control are often overlooked when counting individual NOIs. Each individually scheduled application constitutes one NOI.

Part E

E. Annual Total Sites.

Report this criteria item **annually** on your **June** report, not monthly. The total number of sites includes those identified on all valid permits and permit amendments, including valid multi-year permits issued prior to the current fiscal year. This total **does not** include sites only included **on an Operator Identification form**.

As a timesaving measure, include the number of “non-restricted” sites included in a permit and do not subtract the number of sites deleted from a permit. Refer to ENF 99-044 for more information on sites.

Part F

F. Annual Total Multi-Year Restricted Material Permits

Report this criteria item **annually** on the **June** report, not monthly. The total number of multi-year restricted material permits includes **only** those that were valid prior to the beginning of the fiscal year.

Do not include “new” multi-year restricted material permits issued in the current fiscal year. DPR will add all “new” restricted material permits to the number of valid multi-year permits for a total of all valid restricted material permits for the current fiscal year.

Do not include “multi-year” operator identification issuances. Refer to Line E. in Section VI.

Section V. Investigations

General Instructions

DPR disburses mill assessment revenues for the total number of pesticide investigations completed by each county and for the work hours expended by licensed staff and already included in the definition of licensed staff [3 CCR section 6393(b)(9)]. Report:

- Pesticide investigations during the month the investigation was completed
 - Licensed work hours expended by staff on investigations in the month hours were expended
-

Counting Investigations

Report the **total** number of investigations completed in each category under the column “Total Investigations”. “Total” investigations include routine and priority investigations.

Routine investigations are those that do NOT meet Priority Effects criteria established by DPR / California Agricultural Commissioners and Sealers Association (CACASA) / U. S. Environmental Protection Agency (US EPA).

Example: You report **ten** completed investigations under the “Total Investigations” column for “Human Effects – Agricultural”. Of this total you investigated **eight** routine and **two** priority investigations. You would then report the **two** priority investigations in the second column under “Priorities”.

Priority Investigations

Report the total number of **priority** investigations completed in each category under the column “Priorities”.

Priority investigations are those that have been assigned a **priority case number by DPR** because they meet one or more of the Priority Effects criteria established through a cooperative agreement between DPR / CACASA / US EPA.

Record the priority case number(s) on the back of the PRAMR under Section V, part D.

Do not count each person involved in the episode as a priority investigation. Example: A pesticide episode involving **ten** persons would be counted as **one** priority investigation.

A priority investigation with “multiple” effects (such as, human, environmental, and economic loss) is to be reported **as one priority investigation**. Record on the line that best reflects the most egregious effect.

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Section V. Investigations, Continued

Part A

A. Human Effects

Human Effects investigations involve human illnesses, injuries, and exposures to pesticides. Examples include doctors' reports of occupational or non-occupational illnesses or injuries, and complaints from employees, field workers, and citizens alleging exposure or illness from pesticide drift or residue. Report the investigations in the appropriate "Human Effects" category: Agricultural, Anti-microbial, Structural, or "Other." "Human Effects - Other" includes episodes involving maintenance gardeners and persons in industrial or institutional settings exposed to pesticides other than anti-microbial pesticides.

Part B

B. Environmental Effects

Environmental Effects investigations involve pesticide contamination, symptoms, or damage to the environment. Examples include air or land contamination, wildlife losses, and pesticide-related fires, spills, and subsequent evacuations of surrounding areas.

Do not report human illnesses resulting from an environmental effect in this category. Report items in the appropriate category under "Human Effects."

Part C

C. Property Loss/Damage

Property loss or damage investigations include those where property is lost or damaged due to pesticide mishandling, non-performance, or phytotoxicity. Examples include bee kills, illegal residues on crops, crop yield losses, and residential landscape damage.

Part D

D. Other

Some routine investigations cannot be classified as one of the categories listed above. For these types of investigations, report the total number of "Other" investigations and briefly describe them (title, pesticide, date completed) on the back of the PRAMR, to be included in the mill disbursement criteria.

Section VI. License / Certificate Registration / I.D. Numbers

General instructions

DPR disburses mill assessment revenues for the total number of licensed pest control dealers, registered pest control advisers, pest control businesses, pest control aircraft pilots, and farm labor contractors; structural pest control operators providing annual notice of work, active operator identification numbers, private applicators certified, and for the work hours expended by licensed staff [3 CCR section 6393(b)(2)].

For the following categories, report the licensees registered, annual notices of work received, operator identification numbers issued, applicators certified and licensed work hours expended **during the reporting month** unless otherwise instructed.

Part A

A. Agricultural Pest Control Business

Includes maintenance gardeners and fee-exempt operators. **Do not** report the number of qualified applicator certificate holders (QACs) or qualified applicator licensees (QALs) designated as the responsible person for each business location.

Part B

B. Agricultural Pest Control Adviser

Includes in person and mail-in registrations.

Part C

C. Pest Control Aircraft Pilot

Includes Apprentice and Journeymen Pilots.

Part D

D. Farm Labor Contractor

Refer to Section VI. General instructions above.

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Section VI. License / Certificate Registration / I.D. Numbers, Continued

Part E

E. Operator Identification (I.D.) Numbers

Report the total number of operator identification numbers in the month issued.

There is **no separate line to record “annual total multi-year operator identification numbers”** as there is for restricted material permits. Thus, the June PRAMR will include:

- The number of operator identification numbers issued in June, **and**
- The total number of multi-year operator identification numbers

The total number of multi-year operator identification numbers includes **only** those that were valid prior to the beginning of the fiscal year.

Do not include “new” multi-year operator identification numbers issued in the current fiscal year (other than those issued in June). DPR will add all “new” operator identification numbers to the number of valid multi-year operator identification numbers, for a total of all valid operator identification numbers for the current fiscal year.

Do not include “multi-year” restricted material permits. Refer to Line F. in Section IV.

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Section VI. License / Certificate Registration / I.D. Numbers, Continued

Part F F. Structural Operator Notice

Refer to Section VI. General instructions above.

Part G G. Private Applicators

Report only the new and renewal certifications that you issue in the reporting month on the appropriate line (see PRAMR). Since private applicator certifications are valid for three years, DPR will add the two previous years' totals to the current total for a grand total of all valid private applicator certifications in each county for mill disbursement purposes.

Do not report persons who have been "qualified" to train pesticide handler or field worker employees or the number of applicants who do not pass the exam.

G. Private Applicator	# CERTIFIED	# EXAMS
1. Private Applicators - Re-Certified (C.E. hrs)	3	
2. Private Applicators - Re-Certified (Exam)	2	2
3. Private Applicators - Certified - New	7	7
4. Private Applicators - Failed Exam		5
SUBTOTAL (G 1-4)	12	14

Line 1 1. Private Applicators - Re-certified (C.E. hrs)

Private applicators may renew their certification (re-certify) by obtaining the required number of continuing education hours (6 hours/3 years).

Only report on the PRAMR those re-certifications for which documentation of continuing education has been provided and approved by the CAC.

Line 2 2. Private Applicators - Re-certified (Examination)

Private applicators may renew their certification (re-certify) by taking the private applicator examination. DO NOT count as new, if the individual already possesses a private applicator certification number.

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Section VI. License / Certificate Registration / I.D. Numbers,

Continued

Line 3

3. Private Applicators - Certified - New

Individuals passing the private applicator examination for the initial time are to be recorded as new certifications. Individuals who failed to renew their private applicator certification, one year or later from the date of expiration, must take the private applicator examination; record as a new certification.

Line 4

4. Failed Examination

Record the number of failed exam(s) in the month the exam(s) was given. An individual could take and “fail” an examination more than once in a reporting month.

Section VII. Training and Outreach

General instructions

DPR disburses mill assessment revenues for the work hours expended on pesticide-related training and outreach activities conducted by licensed staff [3 CCR section 6393(b)(5)]. Report all work hours expended on training and outreach activities, including preparation and travel time in the month the hours are expended. The content of the training must be related to pesticide regulatory requirements.

Report the total number of sessions conducted and the total number of persons in attendance for each criteria type (A through D) in the month the sessions occurred. **Do not** include routine “roundtable” discussions, inspections, meetings, committees, media interviews, or training of county use enforcement staff.

Part A

A. Licensees

Includes pesticide regulatory training provided to licensees (dealers, advisers, pilots, and employees of licensed pest control businesses). Examples of training topics include general pest control work requirements; record keeping; and operating conditions or restrictions for pest control programs.;

Part B

B. Grower/Operators

Includes pesticide regulatory training provided to growers, property operators, or their employees. Examples include employee safety training requirements, the restricted material permit system, record keeping, or pesticide use reporting.

Part C

C. Public Education

Includes training provided to the general public and academic institutions about the various aspects of the Pesticide Regulatory Program.

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Section VII. Training and Outreach, Continued

Part D

D. Other

Includes training provided to persons or groups not specified above, such as government agencies (other than county use enforcement staff) and industry organizations. Identify the recipients of the session and the nature of the training or outreach (i.e., lectures, field days, workshops, etc.) in the “Remarks” section on the back of the PRAMR.

Section VIII. Compliance Actions

General instructions

DPR disburses mill assessment revenues for the work hours expended on Compliance Actions by licensed staff (3 CCR section 6393).

Compliance Actions notify a person or business that a violation(s) of pesticide laws or regulations have occurred. A Compliance Action provides a written record that a violation(s) occurred and is not, by itself, an administrative or enforcement action. (Reference ENF 03-006)

A Compliance Action may be one of the following:

- Warning Letter
 - Violation Notice, either
 - A. An inspection form (refer to Part A, Violation Notices below) or a
 - B. Violation Notice, PR-ENF-101
 - Cease and Desist Order
 - Documented Compliance Interview
-

Submitting Compliance Actions

DPR often receives and attempts to process duplicate Compliance Action information (sometimes received months apart, with no cross reference) due to the several methods available for reporting Compliance Actions. Example: DPR may receive an Enforcement / Compliance Action Summary (PR-ENF-046) with “Warning Letter/Violation Notice checked, and then several months later receive a “separate” Violation Notice (PR-ENF-101) for the same incident.

If you use an inspection form as a Violation Notice, only submit the inspection form once. Do not send a separate Violation Notice form (PR-ENF-101) or an Enforcement / Compliance Action Summary (PR-ENF-046), so as to avoid duplication of information.

You can count the completed inspection on the PRAMR, on the appropriate line within Sections I-III, as well as count the inspection as a Violation Notice on Line A, in Section VIII, provided you mark the Violation Notice box “Yes”, and provide a number. (See Part A, “Violation Notice” instructions below.

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Section VIII. Compliance Actions, Continued

Submitting Compliance Actions (continued)

Non compliances may be noted other than on an inspection form, such as late submission of Pesticide Use Reports, or through pesticide episode investigations. In these instances, Warning Letters, or use of the Violation Notice (PR-ENF-101) are appropriate.

Report the number of Compliance Actions completed during the month for each of the following categories described below:

Part A

A. Warning Letters / Violation Notices

Warning Letters

“Warning Letters” are written on county letterhead or on a county form to notify a responsible person or business that non compliances were observed, typically while the county was conducting an inspection or investigation. This notification documents that further action may be initiated if compliance is not obtained. Inspection reports with “Warning” or similar wording written across the face page **cannot** be counted as Warning Letters.

To be considered “complete” a Warning Letter must include the violator’s name, date of incident, and all appropriate law / regulation sections violated.

Violation Notice

A “Violation Notice” is a record that a violation occurred.

A Violation Notice may be either:

1. **An inspection form** with the Violation Notice box checked “Yes” **and** either a county-issued number, or the serial number of the inspection form written on the line provided.

Some inspection forms have two Violation Notice boxes, one for the business and the other for the individual, for use as applicable. Count each separately, if completed as directed in the above paragraph.

2. A separately issued Violation Notice, PR-ENF-101.

To be considered complete the Violation Notice must have all header and general information filled in, all applicable law / regulation sections identified, provide a violation narrative, and contain the violator’s and inspector’s printed name and signature.

Continued on next page

Section VIII. Compliance Actions, Continued

Part B

B. Cease and Desist Orders

A “Cease and Desist Order” is a type of immediate corrective action that serves as a directive to stop hazardous or potentially harmful activities.

A Cease and Desist Order may be issued by means of one of the following:

1. **An inspection form** with the Cease and Desist box checked “Yes” **and** an explanation providing the reason for issuing, and the conditions for resuming activities in the Remarks section of the inspection form.
2. A Violation Notice, PR-ENF-101, if the Cease and Desist Order box has been checked to indicate the form is being used as a Cease and Desist Order, not as a Violation Notice.

PR-ENF-101 must be completed as explained in Section VIII, Part A, “Violation Notice” with an explanation providing the reason for issuing, and the conditions for resuming activities in the Remarks section of the inspection form.

3. A Cease and Desist Order written on county letterhead with an explanation providing the reason for issuing, the conditions for resuming activities in the narrative section, with the violator’s and inspector’s printed name and signature.

A Cease and Desist Order **cannot** be counted as a Violation Notice.

Continued on next page

Section VIII. Compliance Actions, Continued

Part C

C. Documented Compliance Interviews

A Documented Compliance Interview is an information-gathering office interview conducted to evaluate and question the responsible person(s) about non-compliances found during inspections or investigations. The Documented Compliance Interview, by itself, is not an administrative or enforcement action.

Documented Compliance Interviews are written on county letterhead or on a county form to provide a summary of the interview.

To be considered “complete” a Documented Compliance Interview must include the date, time, location, parties present, activity which precipitated the interview, non compliance or violation, and proposed corrective actions. The summary of the interview is typically mailed to the parties that were present.

Section IX. Enforcement Actions

General instructions

DPR disburses mill assessment revenues for the work hours expended on Enforcement Actions by licensed staff [3 CCR section 6393(b)(5)].

Enforcement Actions are procedures or methods taken as a result of violations found during inspections, observations, or investigations. All reported Enforcement Actions must be substantiated with retrievable documentation to verify each action taken.

Report the total number of Enforcement Actions for each category listed on the PRAMR: A-Administrative Actions, B-Judicial Actions, and C-Referrals to DPR.

Submit an Enforcement/Compliance Action Summary, (PR-ENF-046) along with the PRAMR for all completed administrative and judicial actions **except Agricultural and Structural Civil Penalty Actions**.

For Agricultural and Structural Civil Penalty Actions **only**, submit an Enforcement / Compliance Action Summary for all completed Agricultural and Structural Civil Penalty Actions to the DPR Regional Office serving your county. Refer to ENF 98-062 for more information regarding the submission of civil penalty actions.

Part A

A. Administrative Actions (1-5)

Administrative Actions (suspension, revocation, refusal, civil penalties) require due process procedures. The person who is the subject of an administrative action may either agree to the action or appeal for a hearing. Administrative Actions that are appealed for a hearing are **not completed** until the commissioner conducts a hearing and/or issues a written decision. Report completed Administrative Actions under one of the following subcategories shown below:

Line 1

1. Restricted Materials Permit

Action against a permit includes refusal, suspension, or revocation of all or one material listed on the permit. Pesticide product cancellation or suspension actions initiated by U.S. EPA or DPR **are not** permit actions.

Continued on next page

Section IX. Enforcement Actions, Continued

Line 2

2. Private Applicator Certifications

Action against an individual's "Private Applicator Certification" to apply restricted materials includes suspension or revocation of the certification.

Line 3

3. County Registrations

Action taken against a licensee's country registration includes refusal, revocation, or suspension

Line 4

4. Structural Civil Penalties

Structural Civil Penalties are fines levied by commissioners against businesses registered by the Structural Pest Control Board (SPCB) or individuals licensed by the SPCB in accordance with established procedures and penalty guidelines found in Business and Professions Code (B&P Code) section 8617, 16 CCR section 1922, and Food and Agricultural Code (FAC) section 12999.5.

Line 5

5. Agricultural Civil Penalties

Agricultural Civil Penalties are fines levied by commissioners against pest control businesses, licensees, certificate holders, and other pesticide users in accordance with established procedures and penalty guidelines in FAC section 12999.5 and 3 CCR section 6130. This category **excludes** structural pest control businesses or individuals registered/licensed by the SPCB.

Continued on next page

Section IX. Enforcement Actions, Continued

Part B

B. Judicial Actions (1-4)

Judicial Actions are enforcement actions initiated by the commissioner in which the guilt or innocence of the respondent is decided in the courts.

Line 1

1. Notice to Appear (Citations)

Notices to Appear are direct citations issued to an individual or responsible party as notification of an infraction or a misdemeanor violation. Report the citation for the month in which it was issued and submit a copy of the citation with the PRAMR. **Do not** count citations twice (i.e., in the month issued and also the month of final disposition).

Line 2

2. Cases Submitted to District Attorney

Investigative cases prepared by the county for possible action by the District Attorney (D.A.) must be reported in the month **submitted**. Cases submitted to the D.A. are not considered “filed”. See the next two paragraphs for “filed” cases.

Line 3

3. Civil Complaints Filed

When the D.A. accepts an investigation for civil prosecution and files formal charges and an accusation, the case is **filed**. Report the total number of Civil Complaints **filed** with the D.A. responsible for the formal action/decision.

Do not report civil actions filed by the State Attorney General (A.G.).

Line 4

4. Criminal Complaints Filed/Completed

If the D.A. accepts an investigation for criminal prosecution and files a complaint against the respondent, the case is filed. For this category, report the total number of Criminal Complaints Filed **when the final decision is rendered, not when the case is filed**.

Continued on next page

Section IX. Enforcement Actions, Continued

Part C

C. Referrals to DPR

Any enforcement action referred to DPR must meet the “Criteria for Determining When to Refer a Case for State Action” in Enforcement Letter ENF 95-016. Report any Enforcement Actions referred to DPR for State Action (i.e., license suspension, revocation) when they are referred.

Section X. Focused Activity

Background

DPR disburses mill assessment revenues for the total number of Focused Activities completed according to your county's Negotiated Work Plan and for the work hours expended on these activities by licensed staff [3 CCR section 6393(b)(1)].

Each county may propose up to three annual or multi-year projects not to exceed three at any one time.

Reporting multi-year projects

Work completed on Focused Activities must be documented to be reported. Report the number of milestones for multi-year projects in the month completed.

Do not report inspections, outreach, training, etc., conducted as a part of a focused activity in any other section of the PRAMR.

Reporting Completed Focused Activities

A **completed** Focused Activity must be submitted to and approved by the Senior Pesticide Use Specialist, and the Regional Office Supervisor before it can be reported on the PRAMR.

Reporting hours

Report all hours spent on Focused Activities, regardless of the activity, in either Section A. "Licensed Hours" or Section B. "Non-Licensed Hours" (see Licensed Work Hours). Non-licensed work hours includes time expended by your clerical and support staff, persons working under contract, community volunteers, students, etc.

Sections XI – XIII Specific Types of Hours

Types of Hours

Section XI. Surveillance Hours
Section XII. Pesticide/Hazardous Material Spill Hours
Section XIII. Use Report Review and Follow-Up Hours

General instructions

DPR disburses mill assessment revenues for the work hours expended on the following pesticide-related activities by licensed staff [3 CCR section 6393(b)(5)].

Section XI. Surveillance Hours

Introduction

Hours expended by licensed staff during surveillance include:

- Searching/surveying for applications of pesticides (including structural) or for unattended pesticides.
- Surveillance checks for citrus/bee protection requirements.
- Water-holding surveillance of rice herbicides that are not credited with site inspections.

Section XII. Pesticide/Hazardous Material Spill Hours

Introduction

Hours expended by licensed staff during a pesticide or hazardous material spill include time spent containing, identifying, and/or coordinating activities related to the spill incident.

Section XIII. Use Report Review and Follow-Up Hours

Introduction

Hours expended by licensed staff reviewing use reports include:

- Reviewing pesticide use reports (PURs) for accuracy and completeness.
- Reviewing PURs returned from DPR for correction.
- Follow-up of pesticide applicators required to, but failing to “report” pesticide use.

Section XIV. Total Pesticide Activity Hours

General instructions

DPR disburses mill assessment revenues for the work hours expended on pesticide-related activities that are agreed upon by the Director and the CACs, provided the work hours are expended by licensed staff (3 CCR section 6393).

Sections I - XIII represent specific pesticide-related activities for which the work hours can be reported and totaled in Section XIV, Part A.

Pesticide-related licensed work hours, other than those reported in Part A, must be reported in **either**:

Section XIV, Part B. “Other Licensed Enforcement Hours” or
Section XIV, Part C. “Support Hours”

Travel Time: Time spent traveling to and from pesticide-related activities should be reported in the most appropriate section on the PRAMR or in Section XIV, Part B or C, depending on the classification of the staff (i.e. licensed, support) that is traveling. **Do not report travel time used for purposes other than pesticide-related activities.**

Example: You’re traveling to conduct a production agriculture Headquarters/Employee Safety Inspection, a one and a half hour round trip from your office, but while enroute you’re told to stop by a seed company’s operation to conduct a certified seed inspection, which takes you 30 minutes.

You include the 1.5 hours of travel time to the site for the Headquarters / Employee Safety Inspection, under “Licensed Work Hours” in Section II, “Pest Control Records Inspections”.

You **cannot** include the 30 minutes spent to conduct the certified seed inspection, since that activity does not fall within a pesticide regulatory program activity.

Part A

A. Licensed Hours Expended for Items I-XIII

Add all hours reported in Sections I-XIII.

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Section XIV. Total Pesticide Activity Hours, Continued

Part B

B. Other Licensed Enforcement Hours

Includes licensed hours expended on pesticide-related regulatory activities other than those reported in Sections I-XIII. Examples include: certifying triple-rinsed containers, attending pesticide deputy meetings, pesticide program evaluation, preparing negotiated work plans, etc. This section **does not include** hours expended on such programs as:

- County-operated programs for vertebrate and weed control or sales of pesticides or
- Pesticide related programs covered under separate contract (i.e., pesticide residue monitoring).

Summarize the activities and hours in the “Remarks” section on the back of the report. Hours not accounted for in the “Remarks” section will be **excluded** from the total licensed hours for mill assessment disbursement purposes.

Part B

Reportable hours for management

Supervisors, managers, or commissioners may:

- (1) Track the hours they spend conducting pesticide regulatory activities and report them in the appropriate section of the PRAMR.
- (2) Calculate hours they worked in the Pesticide Regulatory Program using the formula shown below in **Example 1** and report these hours in Section XIV B Other Licensed Enforcement Hours.
- (3) Use a combination of both reporting methods as shown in **Example 2**.

Example 1: The Annual Financial Report showed that staff used 25% of county staff hours or expenditures for the Pesticide Regulatory Activities. To calculate the supervisor’s, manager’s, or commissioner’s licensed work hours, multiply 0.25×168 hours (total hours in the work month) and report 42 hours in Section XIV B Other Licensed Enforcement Hours.

Example 2: A manager issued two permits, which took six hours and wanted to report both the actual hours expended in addition to the formula-calculated hours. The Annual Financial Report showed that staff use 25% of county staff hours or expenditures for the Pesticide Regulatory Activities. Use the following calculation:

- Subtract 6 hours from the total hours in the work month:
 $168 \text{ hours} - 6 \text{ hours} = 162 \text{ hours}$
 - Multiply 0.25 (25%) $\times 162$ hours (the adjusted work month).
Report 40.5 hours in Section XIV, part B. “Other Licensed Enforcement Hours” **and** 6 hours in Section IV, Restricted Materials.
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Section XIV. Total Pesticide Activity Hours, Continued

Part B	“Other” Licensed Work Hours that may be reported on the PRAMR include such activities as:
Acceptable “Other” Licensed Work Hours	<ul style="list-style-type: none">• Label review and research.• Responding to general pesticide use questions.• Responding to questions about pesticide labels.• Meetings related to pesticide regulatory program activities
Part B	“Other” Licensed Work Hours that may not be reported on the PRAMR include such activities as:
Non- acceptable “Other” Licensed Work Hours	<ul style="list-style-type: none">• Proctoring Structural Pest Control examinations.• Pesticide residue monitoring.• Data entry for pesticide use reporting.• Computer activity not related to pesticide regulatory program activities.
Licensed Hours subtotal	Add the total hours reported for Part A “Licensed Hours Expended 1-XIII” and Part B “Other Licensed Enforcement Hours.”
Part C	C. Support Hours Includes hours expended on pesticide-related activities by: <ul style="list-style-type: none">• Non-licensed clerical and support staff.• Staff not qualified to apply for the license.• Licensed and non-licensed staff on activities not included in the Pesticide Regulatory Program by agreement of the Director and commissioners. Examples include: entering pesticide use report data or other information in the computer database, date stamping pesticide use reports or Notice of Intents, or processing registrations.
Total hours	Add together “Licensed Hours” (Parts A+B) and “Support Hours” (Part C).